

SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS

E0-559
123

POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-1004X

July 20, 2007

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

☒ (X) Notice of Exemption ☐ () Petition for Exemption ☐ () Regulated Abandonment

☐ () NO NEW COMMENTS WERE RECEIVED

☒ (X) NEW COMMENTS WERE RECEIVED

SEA served an Environmental Assessment (EA) for this proceeding on July 3, 2007 for public review and comment. In the EA, SEA recommended two environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments on the EA

SEA received comments from Shannon Transport, Inc. (ST). Through consultation with National Geodetic Survey (NGS) after the EA was issued, ST has confirmed that because of where NGS markers are located, it is unlikely that any markers would be disturbed by ST's planned tie and rail removal project within the existing rail bed. Bridges and other structures will not be removed because of public use and trail use conditions. NGS has indicated that ST may proceed with its salvage activities as long as ST does not disturb any markers. Accordingly, condition 2 recommended in SEA's EA should be modified to read as follows:

Shannon Transport, Inc. shall notify National Geodetic Survey (NGS) at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers.

In addition, ST has indicated that there is no Pennsylvania Fish & Boat Commission (FBC) property adjacent to the lines owned by ST. Accordingly, ST need not consult with FBC prior to commencing salvage activities and condition 1 which was recommended in EA is not necessary.

Conclusions

The EA comment period has ended. Accordingly, SEA recommends that condition 1 recommended in the EA need not be imposed upon any decision granting abandonment authority.

Condition 2 recommended in the EA, as modified by the recommendations in this document, should be imposed upon any decision granting abandonment authority. The condition is:

Shannon Transport, Inc. shall notify National Geodetic Survey (NGS) at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers.

If the above condition is imposed, SEA believes that the proposed action will not significantly affect the quality of the human environment.

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July 18, 2007
VIA: Electronic filing

Hon. Vernon A Williams
Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

Re: Shannon Transport, Inc. -
Abandonment Exemption - Clanton County, PA
STB Docket No. AB-1004(X)

Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption - Clarion and Jefferson Counties, PA
STB Docket No. AB-369 (Sub No. 6X)

**Comments to Environmental Assessment, Public Use and Trail Use
Requests**

Dear Secretary Williams:

This letter serves as the comments of the applicant Shannon Transport, Inc. ("ST") to the Environmental Assessment ("EA") served by the Board on July 3, 2007. This letter also responds to request for trail use and public use that has been filed.

Environmental Assessment. The EA recommends a condition that ST notify National Geodetic Survey (NGS) at least 90 days prior to beginning salvage. ST believes that this condition goes beyond what NGS requested and what should be required. Through discussions with NGS after the EA was issued, ST has confirmed that because of where NGS locates its markers, it is unlikely that any markers would be disturbed by ST's planned tie and rail removal project within the existing rail bed (bridges and other structures will not be removed because of the public use and trail use conditions discussed below). ST has confirmed with NGS that it can proceed with its salvage project so long as ST does not disturb any markers. Imposition of a 90-day advance notice requirement would mean that ST would not be able to commence salvage until at late October or November, precluding its planned salvage for this year. Accordingly, ST requests that any condition require notice to NGS only if NGS markers will be disturbed.

GOLLATZ, GRIFFIN & EWING, P C

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Hon. Vernon A. Williams
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Additionally, the Pennsylvania Fish and Boat Commission's Summerville property, referred to in the EA on page 2 and 4, is not adjacent to the lines owned by ST. Accordingly, ST should not be required to consult with FBC prior to commencing salvage of its lines.

Public Use and Trail Use Request. Allegheny Valley Land Trust ("AVLT") filed a request for public use and trail use with the Board on June 11, 2007. AVLT request included the required Statement of Willingness to Assume Financial Responsibility. ST hereby indicates its willingness to negotiate with AVLT for possible rail banking and trail use, if the Board issues a NITU, and provided that ST is permitted to salvage the tracks, ties, signals and other track materials

Respectfully,



Eric M. Hocky

cc: All parties on the attached Service List

Pittsburg & Shawmut Railroad, LLC -
Abandonment Exemption - Clarion and Jefferson Counties, PA
STB Docket No. AB-976 (Sub No. 2X)

Shannon Transport, Inc -
Abandonment Exemption - Clarion County, PA
STB Docket No AB-1004(X)

Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption - Clarion and Jefferson Counties, PA
STB Docket No. AB-369 (Sub No. 6X)

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